

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

January 28, 2004

IN RE:

**IMPLEMENTATION OF THE FEDERAL
COMMUNICATIONS COMMISSION'S
TRIENNIAL REVIEW ORDER – 9
MONTH PROCEEDING – SWITCHING**

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**DOCKET NO.
03-00491**

**ORDER GRANTING MOTION TO REQUIRE BELL SOUTH TO FILE RESPONSES TO
SUBPOENAS WITH THE TENNESSEE REGULATORY AUTHORITY AND GRANTING
THE UNOPPOSED MOTION FOR EXTENSION OF TIME**

This docket is before the Hearing Officer for consideration of the *Motion to Require BellSouth to File Responses to Subpoenas with the Tennessee Regulatory Authority* filed by Competitive Carriers of the South, Inc. ("CompSouth") and the *Unopposed Motion for Extension of Time* filed by BellSouth Telecommunications, Inc. ("BellSouth").

On January 21, 2004, CompSouth filed a *Motion to Require BellSouth to File Responses to Subpoenas with the Tennessee Regulatory Authority*. In its motion, CompSouth requests the filing of all subpoena responses and states its understanding that the protective order will protect any confidential information submitted in response to the subpoenas. On January 27, 2004, BellSouth filed a letter stating that it has no objection to CompSouth's motion. BellSouth also states its understanding that the protective order will apply to the information submitted by non-parties. Based on the lack of objection to the motion, the Hearing Officer finds that the motion should be granted.

On January 27, 2004, BellSouth filed an *Unopposed Motion for Extension of Time* requesting an extension from January 29, 2004 until February 3, 2004 to file responses to interrogatories 76, 77, 80, 81, 84, 85, 88, and 89 served by MCI Metro Access Transmission Services, LLC and Brooks Fiber Communications of Tennessee, Inc. In its motion, BellSouth asserts that it is working diligently on the

responses, but needs additional time. BellSouth further states that counsel for MCImetro Access Transmission Services, LLC and Brooks Fiber Communications of Tennessee, Inc. does not object to the motion. Based on the lack of objection to the motion, the Hearing Officer finds that the motion should be granted.

IT IS THEREFORE ORDERED:

1) The *Motion to Require BellSouth to File Responses to Subpoenas with the Tennessee Regulatory Authority* filed by the Competitive Carriers of the South, Inc. on January 21, 2004 is granted.

2) The *Unopposed Motion for Extension of Time* filed by BellSouth Telecommunications, Inc. on January 27, 2004 is granted.



Ron Jones, Director
As Hearing Officer¹

¹ During the September 22, 2003 Authority Conference, a panel of the Tennessee Regulatory Authority consisting of Chairman Deborah Taylor Tate and Directors Pat Miller and Ron Jones unanimously voted to appoint Director Ron Jones as the Hearing Officer to prepare the switching portion of this docket for a hearing by the panel. *Order Appointing Hearing Officer* (Nov. 13, 2003).